

SENATE MOTION

MADAM PRESIDENT:

I move that Engrossed House Bill 1102 be amended to read as follows:

1 Page 21, between lines 21 and 22, begin a new paragraph and insert:
2 "SECTION 17. IC 9-21-5-6 IS AMENDED TO READ AS
3 FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 6. (a) Except as
4 provided in subsection (e), whenever a local authority in the authority's
5 jurisdiction determines ~~on the basis of an engineering and traffic~~
6 ~~investigation~~ that the maximum speed permitted under this chapter is
7 greater or less than reasonable and safe under the conditions found to
8 exist on a highway or part of a highway, the local authority may
9 determine and declare a reasonable and safe maximum limit on the
10 highway. The maximum limit declared under this section may do any of
11 the following:

12 (1) Decrease the limit within urban districts, but not to less than
13 twenty (20) miles per hour.

14 (2) Increase the limit within an urban district, but not to more than
15 fifty-five (55) miles per hour during daytime and fifty (50) miles
16 per hour during nighttime.

17 (3) Decrease the limit outside an urban district, but not to less than
18 thirty (30) miles per hour.

19 (4) Decrease the limit in an alley, but to not less than five (5) miles
20 per hour.

21 (5) Increase the limit in an alley, but to not more than thirty (30)
22 miles per hour.

23 **The local authority must perform an engineering and traffic**
24 **investigation before a determination may be made to change a**
25 **speed limit under subdivision (2), (3), (4), or (5) or before the speed**
26 **limit within an urban district may be decreased to less than**
27 **twenty-five (25) miles per hour under subdivision (1).**

28 (b) A local authority in the authority's jurisdiction shall determine by
29 an engineering and traffic investigation the proper maximum speed for
30 all local streets and shall declare a reasonable and safe maximum speed

permitted under this chapter for an urban district. **However, an engineering and traffic study is not required to be performed for the local streets in an urban district under this subsection if the local authority determines that the proper maximum speed in the urban district is not less than twenty-five (25) miles per hour.**

(c) An altered limit established under this section is effective at all times or during hours of darkness or at other times as may be determined when appropriate signs giving notice of the altered limit are erected on the street or highway.

(d) Except as provided in this subsection, a local authority may not alter a speed limit on a highway or extension of a highway in the state highway system. A city or town may establish speed limits on state highways upon which a school is located. However, a speed limit established under this subsection is valid only if the following conditions exist:

- (1) The limit is not less than twenty (20) miles per hour.
- (2) The limit is imposed only in the immediate vicinity of the school.
- (3) Children are present.
- (4) The speed zone is properly signed.
- (5) The Indiana department of transportation has been notified of the limit imposed by certified mail.

(e) A local authority may decrease a limit on a street to not less than fifteen (15) miles per hour if the following conditions exist:

- (1) The street is located within a park or playground established under IC 36-10.
- (2) The:
 - (A) board established under IC 36-10-3;
 - (B) board established under IC 36-10-4; or
 - (C) park authority established under IC 36-10-5;
 requests the local authority to decrease the limit.
- (3) The speed zone is properly signed."

Renumber all SECTIONS consecutively.

(Reference is to EHB 1102 as printed February 15, 2006.)

Senator SIMPSON